

UNITED STATES DISTRICT COURT
DISTRICT OF NEW HAMPSHIRE

JONATHAN McPHEE,
Plaintiff,

v.

SYMPHONY NEW HAMPSHIRE,
Defendant.

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)
)
) Civil Action No. 1:18-cv-00322-LM
)
)
)

ASSENTED-TO MOTION TO SEAL ONE EXHIBIT TO
MOTION FOR SUMMARY JUDGMENT PLEADINGS

NOW COMES Defendant Symphony New Hampshire (“SNH”), by and through its attorneys, Primmer Piper Eggleston & Cramer PC, and hereby moves this Court, pursuant to Local Rule 83.12(a)(3) and (b)(1), for an order sealing (at Level 1 treatment) Exhibit W to Defendant’s Statement of Undisputed Material Facts in support of its Motion for Summary Judgment, and in support states:

1. There is a Protective Order in place in this action protecting confidential information so marked by the parties. *See* Doc. # 9.
2. The documents to be filed with the Statement of Undisputed Material Facts in support of SNH’s Motion for Summary Judgment at Exhibit W has been marked by the parties as Confidential – Subject to Protective Order.
3. For SNH’s Motion For Summary Judgment, SNH relies on the following confidential documents: Exhibit W, personal tax documents provided by Plaintiff Jonathan McPhee (“McPhee”), which contain personal financial information of McPhee that is not cited to or relied on in the motion but is contained in the documents themselves.

4. The purposes for which the confidential documents are cited are not themselves confidential, but the documents that are cited contain substantial confidential information that should be protected from public disclosure.

5. SNH accordingly seeks to preserve the confidential nature of those documents in accordance with the protective order and hereby moves to file that limited exhibit under seal with Level 1 treatment as provided in Local Rule 83.11(b)(1) as all counsel to this action already have access to those documents

6. Counsel for McPhee assents to the relief sought in this motion.

7. No memorandum of law is necessary since this motion is within the discretion of the Court.

WHEREFORE, SNH respectfully requests with the assent of McPhee that this Honorable Court:

A. Grant this Motion to Seal; and

B. Grant such other and further relief as may be just and equitable.

Respectfully submitted,

SYMPHONY NEW HAMPSHIRE,

By its attorneys,

PRIMMER PIPER EGGLESTON & CRAMER PC,

Dated: June 3, 2019 By:



Thomas J. Pappas, Esq., (N.H. Bar No. 4111)
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CERTIFICATE OF SERVICE


I hereby certify that a copy of the foregoing pleading has this day been forwarded via e-mail to:

Lauren S. Irwin, Esq.
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Heather M. Burns, Esq.
hburns@uptonhatfield.com

Dated: June 3, 2019

By:



Thomas J. Pappas, Esq., (N.H. Bar No. 4111)